Previous references.

1902
(S+A)

File No. 641—12

Serial Nos. 1—2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2

Part B. for August 13.

SUBJECT.

Interpretation of Article 61 - M - S.R.

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1 From the offg. D.C. Tumkur D.O. No 600 Dy 10.6.13
Requests the favour of interpreting art 61 m.S.R. with
a view to decide the acting allowances or Salaries
of the Conference clerk and other clerks appointed
in the Series.

2. To the offg. Dy Comm^r, Tumkur District.
Letter No 2841 Dy 14.8.13
States that the official doing the duty as clerk
of the Conference office should be considered as holding
a temporary appointment and as such he cannot
retain his lien on any officiating or Sub-pro-tem
appointment held prior to his temporary employment

G.R.S. 11] 1913.

GENERAL AND REVENUE SECRETARIAT.

(SRA)

NOTES.

File No. 641-12

FILE HEADING.

Interpretation of Art 61. M.S.R.

From Offg. D.C., Trunkur Divn.

No. 600 Dated 10.6.13 Received

Diary No. 5829	Enclos.	Spare Copies.	Serial No. ~~5829~~ 1

BRIEF ABSTRACT OF LETTER.

Requests the favor of interpreting of Art 61 M.S.R. with a view to decide the acting allowances or Salaries of the Conference clerk and other clerks appointed in the Series.

NOTES AND ORDERS.

1) The matter in doubt is made clear when it is decided as to whether the Conference clerk is appointed permanently or not.

2) Art 60 of the M.S.R. says

NOTES—First Sheet.

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Serial No.

that when an appointment is created whose duties are of a permanent nature & (meaning thereby that there is no reason to believe that the appointment will terminate within 3 years), an Officer appointed to this place may be considered to have ceased for the time being to have a lien on his former permanent appointment, till such time as it may not be necessary to revert the officer to his former appointment.

3) According to this Act, the Conference clerk's place may have to be treated practically as a permanent appointment and whoever is appointed therein suspends his lien to his former appointment. So that the vacancies occurring in the previous appointments may be filled up ~~permanently~~ temporarily or ~~temporarily~~ temporarily as the circum-stances

NOTE—Contn. sheet.

General and Revenue Secretariat. | S P A File No. 641 of 1912

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may warrant

4) If this View is Correct, a reply will be drafted accordingly and Sub[d]

Sub[d] for orders

Draft accordingly

PRV 26.6.13

Draft Sub[d] -

PRV 1.7.13

Please see the Memorandum

4.7.13

Draft revised as directed is Sub[d] for approval.

PRV 10.7.13

4.7.13

NOTE—Contn. sheet.

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4)

[illegible]. R. S. 12]

General and Revenue Secretariat.

SA File No. 641 of 1912

Serial No. 2

To the Officiating Deputy Commr. Tumkur dt
Letter No. 71841 dated 14.8.13.

States that the official doing the duty as clerk of the Conference office should be considered as holding a temporary appointment and as such he cannot retain his lien on any officiating or sub pro tem appointment held prior to his temporary employment elsewhere and that seniority arrangements may be made as if that person did not hold that officiating or sub pro tem place at all.

ab 8/13
15/8

NOTE—Contn. sheet.

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190

From The offg. Deputy Commissio
Tumkur District.

To The Financial Secretary
to the Government of
H. H. the Maharaja of Mysore

Dated

Despatched 8. 6. 1913

Received 10/6/1913

General No. 600

No. —

Enclosure No. nil.

Requests the favour of interpretation of Art. 61 of the M.S. Regulations with a view to decide the acting allowances or Salaries of the Conference Clerk and other clerks appointed in the Series.

DIARY No. 5025

19/2-1913

SECTION Stg

FILE No. 641-12

SERIAL No. 1

GPB—75 reams—25 5 10

Office of the Deputy Commissioner,
Tumkur district,
Dated, Tumkur, June 1913.

From V. A. Thyagaraja Iyer, Esqr., M.A.,
Offg. Deputy Commissioner,
Tumkur District.

To J. S. Bhakrawarti, Esqr., M.A., F.R.A.S.,
Financial Secretary to
the Government of His Highness
the Maharaja of Mysore

Sir;

Article 61 of the Mysore Service Regulations rules that Sub Pro tem appointments can be made "in place of" an officer who is absent and draws no part of the pay of his appointment or who holds a temporary appointment &c. It further notes that in such a case the lien on a Sub Pro tem appointment already held by the officer newly appointed "to officiate" in a higher appointment, Sub Pro tem, would continue.

2. There is no definite provision in the Regulations

Regulations applicable to the case of an officer holding a substantive appointment such as Anglo Vernacular Clerk of this District Office on Rs 25/- a month who when he is Sub Pro tem English 4th clerk on Rs 30/- a month is appointed permanently to a higher post in a temporary office, such as the office of the President of the District Committee of the Economic Conference.

3 The facts are that on the 3rd March 1913 the Conference Clerk of this Office on Rs 35/- a month was transfered permanently to the Gubbi Sub Division office on Rs 35/- a month as permanent Second Clerk of that Office, and afterwards, that is, on the 5th March 1913 the Sub Protem 4th English Clerk was appointed as Conference Clerk on Rs 35/- a month. He was therefore not appointed to officiate in place of any other officer, under Article 64.

If so held, he would be entitled to Rs 25/-, his substantive pay + 20 per cent. of Rs 35/- which would satisfy the condition that the salary should not be less than the pay he was drawing as Sub Pro tem 4th English Clerk. But this is not the case, for the post of Conference Clerk was permanently vacant when the English 4th Clerk, Sub Pro tem, was appointed to it and on Rs 35/- per month.

4. The question is whether, if Article 61 is inapplicable to the case, the present Conference Clerk can continue to be Sub Pro tem English 4th Clerk though permanent Conference Clerk.

5. I have the honor to request therefore that you will be so good as to kindly interpret this Article so as to enable this office to decide

(1) whether the Anglo Vernacular Clerk on Rs 25/- now drawing the full pay

of the appointment of Conference Clerk on Rs. 35/- can be Styled Sub Pro tem Conference Clerk under the Conditions above stated,

(2) whether, if he be not Sub Pro tem Conference Clerk, he can still have his lien on his Sub Pro tem English 4th Clerk's place, and

(3) Kindly refer me to Standing orders, if any, deciding whether under the peculiar Conditions of this case, the Clerk now appointed as acting 4th English Clerk can be held to be Sub Pro tem 4th English Clerk in place of the Anglo Vernacular Clerk, Sub Pro tem 4th English Clerk and now Conference Clerk, so as not to disturb the acting allowances of persons holding Seriatim appointments downwards.

6. The favour of an early reply

is requested as the acting allowances have not been drawn pending Solution of the question

I have the honor to be,
Sir,
Your most obedient Servant,
Reynolds Kelly
Assistant Commissioner,
for Offg. Deputy Commissioner,
absent from Station.

Interpretation of Art 61 M.S.R.

G. R. S. 26]

Revised draft

File No. 12

Serial No. 2

Diary No. of letter replied to

No. H 8411

General and Revenue Secretariat

( )

, the 191 .

To The 1st & 14th Accountants/13

The O/Cs & C,
Trunkun Dsts

Date of issue 14-8-13

Signed by W/ Duraiswamy

Sir,

Adverting to your letter No. 600 dy 10.6.13 requesting to be informed as to how Art 61 MSR may be interpreted with a view to decide the Acting allowances or Salaries of clerks in connection with certain Vacancies

over.

SUBJECT.

filled up in the usual manner, noted vacancies appointments in the Div", I am directed to state that the offr doing the duty as Clerk of the Conference Office should be considered as holding a temporary appointment and as such he cannot retain his lien on any officiating or substantive appointment held prior to his temporary employment elsewhere. Seriatim arrangements may be made as if that person did not hold that officiating or substantive place at all

I have &c

For Secy to Govt

(1) A.V. clerk on Rs 25/- p.m.
(2) Engh 4th clerk on 30 Rs p.m.
(3) Conference clerk on 35 Rs p.m.

List of enclosures.

Copied by

Examined by [illegible]

7-[illegible]-1913

GPB—25,000—8-8-11.

PRW 10.7.13 AR 12/8